

HOUSE SUBSTITUTE AMENDMENT NO. _____

For

HOUSE _____ AMENDMENT NO. ____

Offered By

AMEND House Bill No. 1219, Page 1, Section 213.010, Line 10, by inserting at the end of said Line, after the word “factor”, the following:

_____ “unless the decision or action has an adverse impact on the protected criterion. In which case, courts shall rely heavily upon judicial interpretations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e, et. seq., as amended; the Age Discrimination Employment Act of 1967, 29 U.S.C. 621, et. seq., as amended; and the Americans With Disabilities Act, 42 U.S.C. 12101, et. seq., as amended”; and

Further amend said Bill, Pages 4-5, Section 213.101, Lines 1-23, by deleting all of said Lines; and

Further amend said Bill, Page 5, Section 213.111, Line 27, by inserting an opening bracket (“[“) immediately after the words “other order”; and

Further amend said Section and Page, Line 31, by inserting a closing bracket (“]”) immediately after the word “foundation”; and

Further amend said Section and Page, Line 32, by deleting all of said Line and inserting in lieu thereof the following:

“4. The court may award to the plaintiff actual and punitive damages and may award court costs and reasonable attorney fees to the prevailing party, other than a state agency or commission or a local commission; except that, a prevailing respondent may be awarded court costs and reasonable attorney fees upon a showing that a case is without foundation. An award of damages may include all future pecuniary losses, emotional pain,”; and

Further amend said Bill, Page 6, Section 213.111, Line 41, by inserting the word “one” after the word “hundred”; and

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2 Further amend said Section and Page, Line 44, by inserting the word “one” after the word
3 “hundred”; and

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5 Further amend said Section and Page, Line 47, by inserting the word “one” after the word
6 “hundred”; and

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8 Further amend said Section and Page, Line 57, by inserting the following after all of said Line:

9 “8. Subsections 4, 5, and 6 of this section shall not apply when there is an alleged violation
10 of sections 213.040, 213.045, or 213.050. Subsections 4, 5, and 6 of this section shall apply when
11 there is an alleged violation of section 213.070 against an employer, but not otherwise.”; and

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13 Further amend said Bill, Page 7, Line 16, by deleting “who reports to an employer”; and

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15 Further amend said bill by amending the title, enacting clause, and intersectional references
16 accordingly.